

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MICHELLE CREAL, KASANDRA)
MURPHY, and FELICIA WRIGHT, on)
behalf of themselves and all other similarly)
situated persons, known and unknown,)
Plaintiffs,) No. 13-cv-4275
v.) Judge: Charles Kocoras
GROUP O, INC.,) Magistrate Judge: Michael T. Mason
Defendant.)

**JOINT MOTION TO APPROVE CONFIDENTIAL SETTLEMENT AGREEMENT AND
GENERAL RELEASE AND TO EXTEND TIME TO REINSTATE**

NOW COME the Plaintiffs, Michell Creal, Kasandra Murphy and Felicia Wright, and the Defendant, Group O, Inc., though their undersigned counsel, and jointly move the Court for an order approving the Confidential Settlement Agreement and General Release to be provided to the court for *in camera* inspection and granting leave to reinstate on or before December 22, 2016 after which time the dismissal will be with prejudice, each party to bear their own costs and fees. In support of this motion, the parties state as follows:

1. Plaintiffs filed this Complaint against the Defendant and purported to seek a collective action for alleged violations of the Fair Labor Standards Act, and further brought claims under the Illinois Minimum Wage Law and the Illinois Wage Payment and Collection Act.
2. Summary judgment was entered against Felicia Wright and in favor of Group O on June 8, 2016, leaving Creal and Murphy as Plaintiffs in this Lawsuit.
3. Following negotiations between the parties' counsel, the parties have reached a mutually satisfactory settlement as to the remaining claims.

4. Plaintiffs' claims for relief are premised upon their assertion that during their employment with Defendant, they were not paid overtime and regular wages for work they performed for the Defendant.

5. Through exchange of employment records, the parties have reached an agreement to settle this case. The terms of the parties' agreement are set out in a "Confidential Settlement Agreement and General Release," a copy of which is to be submitted to the court for *in camera* inspection.

6. This is an action seeking the recovery of compensation under the Fair Labor Standards Act, 29 U.S.C. §201, *et seq.* Accordingly, the settlement requires the Court's approval. See *Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350 (11th Cir. 1982).

7. The parties agree that the terms of the settlement are reasonable and fair to both parties.

8. Attached is a draft Order.

9. On October 4, 2016, the Court dismissed the case without prejudice with leave to reinstate on or before December 6, 2016. The parties seek additional time to effectuate the finalization of settlement prior to dismissal with prejudice.

10. Accordingly, the parties request that the Court approve the fairness of the settlement and grant additional time to reinstate to on or before December 22, 2016, after which time the dismissal will be with prejudice, each party to bear its own fees and costs except as provided in the Confidential Settlement Agreement and General Release.

WHEREFORE, the parties respectfully request that the Court enter an order approving the settlement and granting leave to reinstate on or before December 22, 2016 after which time the dismissal will be with prejudice, each side to bear its own fees and costs, except as provided in

the Confidential Settlement Agreement and General Release, and for any and all further relief deemed reasonable and just.

Respectfully submitted,

PLAINTIFFS
MICHELL CREAL
KASANDRA MURPHY
FELICIA WRIGHT

By: /s/ Renee Fell
One of their attorneys

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DEFENDANT
GROUP O, INC.

By: /s/ Brian Ekstrom
One of its attorneys

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CERTIFICATE OF SERVICE

I, Renee C. Fell, an attorney, hereby certify that on December 1, 2016, I electronically filed a copy of the foregoing **Joint Motion to Approve Confidential Settlement Agreement and General Release and to Extend Time to Reinstate** to be filed with the Court by electronic filing protocols, and that same will therefore be electronically served upon all attorneys of record registered with the Court's ECF/CM system.

/s/ Renee C. Fell
Attorney for Plaintiff

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